

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 5815  
Madrid for Congress and Rita Longino, )  
in her official capacity as Treasurer; )  
Patricia Madrid; The State of New )  
Mexico )

CERTIFICATION

I, Darlene Harris, recording secretary of the Federal Election Commission executive session, do hereby certify that on July 24, 2007, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-3 to pass a motion to:

Reject the recommendations for MUR 5815 as set forth in the General Counsel's Report dated July 10, 2007; dismiss MUR 5815 on the basis of prosecutorial discretion as outlined in Heckler v. Chaney, 470 U.S. 821 (1985); and close the file.

Commissioners von Spakovsky and Weintraub voted affirmatively for the motion. Commissioners Lenhard, Mason, and Walther dissented.

2. Decided by a vote of 4-1 to:

- a) Take no action at this time as to the State of New Mexico.
- b) Find reason to believe that Madrid for Congress and Rita Longino, in her official capacity as Treasurer, violated 2 U.S.C. §§ 441a(f) and 434(b).
- c) Find reason to believe that Patricia Madrid violated 2 U.S.C. § 441a(a)(1).
- d) Approve the Factual and Legal Analysis at Attachment 1 for Patricia Madrid and Madrid for Congress and Rita Longino, in her official capacity as Treasurer, as recommended in the General Counsel's Report dated July 10, 2007.

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- e) Authorize the use of compulsory process, including the issuance of appropriate interrogatories, document subpoenas, and deposition subpoenas, as necessary.
- f) Approve the appropriate letters.

Commissioners Lenhard, Mason, Walther, and Weintraub voted affirmatively for the decision. Commissioner von Spakovsky dissented.

Attest:

July 26, 2007  
Date

Darlene Harris  
Darlene Harris  
Deputy Secretary of the Commission

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